

REMARKS

I. Introduction

Claims 1, 2, 4, 7, 8, 11, 12, 14, 17, 18, and 21 are pending and are rejected. Claims 1, 4, and 11 have been amended. Claim 8 is cancelled. Consequently, claims 1, 2, 4, 8, 11, 12, 14, 17, 18, and 21 are at issue. Claims 3, 5, 6, 9, 10, 13, 15, 16, 19, and 20 have been previously cancelled. Claims 1 and 11 are the only independent claims.

II. The Rejections

A. The Claim Objection

Claim 4 was objected to because the phrase “comprising an wherein” should read “wherein.” This objection is obviated for the reasons stated below.

B. The Rejections Under §112

Claims 1-2, 4, and 7-8 were rejected under 35 U.S.C. §112 as failing to comply with the written description requirement. These rejections are obviated for the reasons stated below.

C. The Rejections Under §102

Claims 1-2, 4, 8, 11-12 and 14 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,408,251 to Kaplan. These rejections are traversed for the reasons stated below.

D. The Rejections Under §103

Claims 7 and 17-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kaplan in combination with U.S. Patent No. 4,365,250 to Matsuoka. Claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kaplan in combination with U.S. Patent No. 4,206,491 to Ligman, U.S. Patent No. 4,369,399 to Lee, or U.S. Patent No. 4,305,060 to Apple. These rejections are traversed for the reasons stated below.

III. The Claims are Allowable

A. The Claim Objection is Obviated

Claim 4 has been amended to recite “wherein.” Consequently, it is submitted that the objection to claim 4 is obviated.

B. The §112 Rejections are Obviated

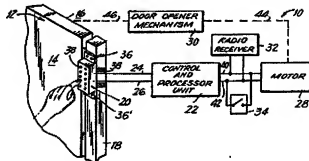
The Office Action stated that claims 1-2, 4, and 7-8 did not meet the written description requirement under 35 U.S.C. §112. More specifically, the Office Action stated that:

Support is lacking for at least “wherein the receipt of the close signal from the close button automatically causes the controller to issue a close barrier signal at the output in order to close the barrier without the need to authenticate any authorization code” in claim 1 because “without authentication” is contradicted by claim 8 requiring RF ID input that is considered to be authentication.

Claim 8 has been cancelled. Consequently, it is submitted that the §112 rejection of claim 1 is obviated. Claim 2, 4, and 7 depend upon claim 1. Since the objection to claim 1 has been obviated, it is submitted that the rejections to the remaining claims are also obviated.

C. The §102 Rejections are Traversed

Kaplan describes a security system that is designed to be tamper-resistant. As shown in FIG. 1 of Kaplan (reproduced below for the convenience of the Examiner), a keypad 20 is coupled by control wires 24 and 26 to a control and processor unit 22. The control and processor unit 22 is not mounted with the keypad 20 but is mounted in the interior of the garage. See Kaplan, Abstract and col. 4, lined 66-67. The control and processor unit 22 is also connected to a motor 28. An optional radio receiver 32 may transmit a control signal from the output of the control and processor unit 22 to the motor 28. See Kaplan, col. 5, lines 27-35. However, the keypad 20 always uses a wired connection with the control and processor unit 22 in order to prevent tampering.



Claim 1 has been amended to recite a wireless connection from the controller to the entry control device and close button. In contrast, Kaplan requires a wired connection between its keypad and controller. Since at least one element of claim 1 is not taught or suggested by Kaplan, it is submitted that claim 1 is not anticipated by Kaplan. Claims 2, 4, and 8 depend from claim 1. Since claim 1 is not anticipated by Kaplan, it is submitted that these dependent claims are also not anticipated by Kaplan.

Independent claim 11 has been amended in a manner similar to claim 1 and is submitted to not be anticipated by Kaplan for the same reasons as described above. Claims 12 and 14 depend upon claim 11. Since claim 11 is not anticipated by Kaplan, it is submitted that these dependent claims are also not anticipated by Kaplan.

D. The §103 Rejections are Traversed

As mentioned, claims 7 and 17-18 were rejected under §103(a) as being unpatentable over Kaplan in combination with Matsuoka. Kaplan has been described above. Matsuoka does not remedy the deficiencies of Kaplan. In particular, Matsuoka describes a garage door apparatus and a button 12. However, the button 12 is hardwired to the operator, not wirelessly connected as recited in claim 1. See FIG. 1 of Matsuoka. Consequently, since at least one claim element is not taught or suggested by either of the references, it is submitted that claims 7 and 17-18 are allowable over the proposed combination.

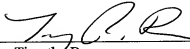
As also mentioned, claim 21 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kaplan in combination with Ligman, Lee, or Apple. Kaplan has been described above. Neither Ligman, Lee, nor Apple remedy the deficiencies of Kaplan. In particular, Ligman teaches an entry system for an automobile. Ligman always uses wired connections and is silent as to any connection being wireless as recited in claim 1. Lee teaches a control circuit for a moveable barrier operator. However, Lee is silent as to wireless communication between a keypad and the control circuit as recited in claim 1. Apple does not even relate to moveable barrier operators, much less, key pads. Consequently, since at least one claim element is not taught or suggested by any of the references, it is submitted that claim 21 is allowable over the proposed combination.

IV. Conclusion

Applicants believe that the foregoing amendments and remarks place the application in condition for allowance, and a favorable action is respectfully requested. The Commissioner is hereby authorized to charge any additional fees which may be required in this application to Deposit Account No. 06-1135.

Respectfully submitted,

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